

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

MICHAEL JOSEPH DERROW, #03199286      §  
VS.      §      CIVIL ACTION NO. 9:05-CV-113)  
UNITED STATES OF AMERICA      §

ORDER ADOPTING REPORT AND RECOMMENDATION

The court referred the above-entitled and numbered civil action to United States Magistrate Judge Harry W. McKee. The Magistrate Judge presented for consideration the Magistrate Judge's report, containing proposed findings of fact and recommendations for disposition of this case. Petitioner filed objections to the Report.

The court made a *de novo* review of Petitioner's objections and determined that they lack merit. This court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the court's findings and conclusions. The court therefore

ORDERS, ADJUDGES, and DECREES that petitioner's motion to vacate or correct his sentence is TRANSFERRED to the Fifth Circuit Court of Appeals.

SIGNED at BEAUMONT, Texas, on this the 6 day of July, 2005.



HOWELL COBB  
UNITED STATES DISTRICT JUDGE